

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

VINCENT LUCAS,	)	CASE NO.
on behalf of himself and all others	)	
similarly situated,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<u>NOTICE OF REMOVAL</u>
	)	<u>OF CIVIL ACTION</u>
CENSTAR ENERGY CORP.	)	
and JOHN DOES 1 & 2,	)	
	)	
Defendants.	)	

TO: UNITED STATES DISTRICT COURT FOR THE SOUTHERN  
DISTRICT OF OHIO, WESTERN DIVISION

Defendant Censtar Energy Corp. (“Censtar”) hereby notices removal of this suit from the Court of Common Pleas for Clermont County of the State of Ohio Circuit Court to the United States District Court for the Southern District of Ohio, Western Division. In support of removal, Censtar states as follows:

1. The Complaint in this case was filed in the Clermont County Court of Common Pleas on or about December 14, 2016, and was served upon Censtar on December 19, 2016. (A copy of the Summons and Complaint that was served on Defendant Censtar is attached hereto as Exhibit A. The Summons and Complaint are the only process, pleadings, and orders heretofore served upon Censtar in this action.)

2. The Complaint asserts a claim under the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, as well as related state law claims. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over the TCPA claim, as that claim arises under federal law.

Removal of this entire action is therefore proper pursuant to 28 U.S.C. § 1441(a) and (c).

3. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) in that it is filed within thirty (30) days of receipt of the Complaint by Censtar.

3. As required by 28 U.S.C. § 1446(d), Censtar has provided written notice of the filing of this Notice of Removal to Alfred Lucas, who is counsel of record for Plaintiff, and will file a copy of this Notice of Removal with the Clermont County Court of Common Pleas.

WHEREFORE, pursuant to 28 U.S.C. § 1441, Censtar removes this case from the Clermont County Court of Common Pleas to this Court.

Respectfully submitted,

s/Michael J. Montgomery  
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*Counsel for Defendant Censtar Energy Corp.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. mail, postage prepaid,  
upon the following this 17th day of January, 2017.

Alfred V. Lucas  
7943 Gildersleeve Dr.  
Kirtland, Ohio 44094

*Counsel for Plaintiff*

s/Michael J. Montgomery  
Michael J. Montgomery

*Counsel for Defendant Censtar Energy Corp.*